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International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination
Ninetieth session
2-26 August 2016
Item 4 of the provisional agenda
Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined twentieth to twenty-second periodic reports of Greece

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 2, 4 and 6-7)

2. Update on cases in which the Convention's provisions were invoked before, or applied by, domestic courts; and information on the implementation of the anti-racist legislation and update on their actual application in court cases (Constitution of Greece, article 28, para. 1; CERD/C/GRC/CO/19, para. 10; CERD/C/GRC/20-22, paras. 117-118).

3. Update on legislative and other measures taken to implement all the provisions of article 4 of the Convention, including the requirements to declare illegal and prohibit racist organizations, and to declare an offence punishable by law all dissemination of ideas based on racial superiority (CERD/C/GRC/CO/19, para. 11; CERD/C/GRC/20-22, paras. 128-129).

4. Measures to implement recommendations made by the National Human Rights Commission and by the Greek Ombudsman in relation to combating race- and ethnicity-based discrimination and violence (CERD/C/GRC/20-22, paras. 126-127,130, 171 and 179).

5. Update on the implementation of the Human Rights National Action Plan 2014-2016, measures to adopt a national action plan against racism and intolerance and other

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steps taken to implement the Durban Declaration and Programme of Action (CERD/C/GRC/CO/19, para. 20; CERD/C/GRC/20-22, paras. 5 and 131).

Situation of ethnic-religious minorities (arts. 2-7)

6. Ethnic-religious composition of the population of the State party and recognition of ethnic minorities based on the principle of self-identification (CERD/C/GRC/CO/19, paras. 8-9; CERD/C/GRC/20-22, paras. 13-14).

7. Impact of legislative and institutional measures to curb hate speech and racist violence, including in the political sphere and the media, against members of minorities, including Roma, Greek Muslims, Jews, migrants, asylum seekers and refugees (CERD/C/GRC/CO/19, para. 11; CERD/C/GRC/20-22, paras. 124-138).

8. Update on criminal proceedings against alleged perpetrators of racial discrimination, in particular hate speech and racist violence, and their outcomes, and other measures to reinforce authorities' adequate response to such acts.

9. Update on the number of complaints reported to the authorities, including the courts, special prosecutors investigating racist crimes and the police (special units to tackle racist violence); the number of cases brought before the criminal justice system, relevant decisions in penal, civil or administrative court proceedings and any redress provided to victims; and updated data on residence permits granted for humanitarian reasons to third-country nationals who are victims or witnesses of racist crimes (CERD/C/GRC/CO/19, para. 10; CERD/C/GRC/20-22, paras. 70 and 171-172).

10. Update on the collection of data on racist incidents by the Racist Violence Recording Network, the Ombudsman, the Observatory for the Prevention of School Violence and Bullying, the Committee for Equal Treatment and the National Council for Radio and Television (CERD/C/GRC/20-22, paras. 124-125, 130-131, 137, 169-172 and 179).

11. Measures to prevent and investigate the excessive use of force by the police against Roma and foreigners, as well as instances of arbitrary detention; update on the establishment of an office responsible for handling alleged instances of arbitrary conduct by law enforcement personnel; and information on measures to facilitate access to justice by Roma (CERD/C/GRC/CO/19, para. 13; CERD/C/GRC/20-22, paras. 140-148 and 162).

12. Actual enjoyment of the right to freedom of thought, conscience and religion and the right to freedom of association by all ethnic-religious minority groups (CERD/C/GRC/CO/19, paras. 14-15; CERD/C/GRC/20-22, paras. 151-164).

13. Detailed information on the cuts to the budget for public policies and public institutions active in the fight against racism and discrimination in Greece (the National Commission for Human Rights, the Ombudsman, the Labour Inspectorate, prosecutors and special police units, among others) and the impact of such cuts on minority groups, such as Roma, migrants, refugees and asylum seekers, in particular children (CERD/C/GRC/20-22, para. 4).

14. Update on the situation of the Roma community, in particular in respect of access to employment, housing, health care and mainstream education; update on the progress achieved in implementing the National Strategy for the Social Inclusion of Roma 2012-2020; and information on the participation of Roma in the elaboration and implementation of such plans (CERD/C/GRC/CO/19, para. 16; CERD/C/GRC/20-22, paras. 8 and 36-54).

Situation of non-citizens, including stateless persons, migrants, refugees and asylum seekers (arts. 5-7)

15. Data on the situation of migrants, including those in an irregular situation, asylum seekers and refugees, in particular in relation to access to education, housing, health services and employment (CERD/C/GRC/CO/19, para. 12; CERD/C/GRC/20-22, paras. 65-103):

(a) Impact of legislative measures, including Law No. 4251/2014 and Law No. 3907/2011, and of institutional measures to facilitate access to immigration and asylum procedures, as well as to a guardianship institution by unaccompanied children;

(b) Data on the evaluation of the 2013 National Strategy for the Integration of Third-Country Nationals and on the migrant integration councils since they were established by law in 2010;

(c) Measures to end automatic detention of undocumented migrants for long periods; recourse to alternative measures to detention; and updated information on conditions of detention in reception centres, including information on the separation of adults and minors;

(d) Steps to combat the ill-treatment by law enforcement officials of migrants, asylum seekers and refugees;

(e) Protection from refoulement and measures to end illegal pushbacks.

16. Measures to protect migrant workers against abusive practices in the workplace, especially in the agricultural sector; and updated information on administrative sanctions by the Labour Inspectorate or other bodies (CERD/C/GRC/CO/19, para. 18; CERD/C/GRC/20-22, para. 170).